

SUFFOLK COUNTY BOARD OF ETHICS
Minutes of Public Meeting Held on
November 2, 2016
In the Office of the Board of Ethics
Sunrise Business Center, 3500 Sunrise Highway, Room 364
Great River, New York 11739

Meeting: *Board Members present:* Linda Spahr, Richard Halverson, Dennis O'Doherty, Anthony Parlatore and Eric Kopp. *Staff present:* Samantha Segal, Executive Director and Darlene Mohlmann, Board Secretary, taking minutes. *Counsel present:* Mary-Ann Czak, Esq. and Lisa Jusino Calla, Esq.

Ascertainment of Quorum: The meeting was called to order at 9:30 a.m. by Chair, Linda Spahr. A roll call was conducted and a quorum was present.

Adoption of Agenda: A motion was made by Anthony Parlatore, seconded by Richard Halverson, to adopt the agenda. Upon a vote being taken, motion was approved (5-0-0).

Adoption of Minutes: A motion was made by Eric Kopp, seconded by Anthony Parlatore to adopt the minutes of the October 19, 2016 meeting. Upon a vote being taken, motion was approved (5-0-0).

Public Session: Linda Spahr opened Public Session. No members of the public were present and no written testimony was submitted.

Chair Report: Linda Spahr, Chair, reported and/or discussed the following:

- Training:
 - All-Employee Ethics Training, October 24, 2016: Good turnout and great program. Board members Linda Spahr and Anthony Parlatore were in attendance. Training was presented by Christopher Clayton, Training Consultant and General Counsel; Samantha Segal, Executive Director; and Linda Spahr, Chair.
 - The total attendance was 133, of which 29 received CLE credit and 3 received CPE credit.

The following Departments and Offices were represented at the training, amounting to 14 Departments and 12 Legislative Offices:

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| ○ Health | ○ Legislator Trotta's Office | ○ Real Property Tax Service Agency |
| ○ Public Works | ○ Legislator Spencer's Office | ○ County Attorney |
| ○ Probation (and the Suffolk County Probation Officers Association) | ○ Labor, Licensing and Consumer Affairs | ○ Public Administrator |
| ○ Presiding Officer's Office | ○ Legislator Lindsay's Office | ○ Traffic Parking Violations Agency |
| ○ County Executive | ○ Information Technology | ○ Office for People with Disabilities (Division of County Executive) |
| ○ Parks | ○ Risk Management (Division of County Attorney) | ○ Office of Counsel to the Legislature |
| ○ Clerk of the Legislature | ○ Police | ○ Legislator Stern's Office |
| ○ FRES | ○ Legislator Martinez's Office | ○ Legislator Barraga's Office |
| ○ Legislator McCaffrey's Office | ○ Legislator Anker's Office | |
| ○ Legislator Krupski's Office | | |
| ○ Economic Development and Planning | | |

Executive Director Report: Samantha Segal, Executive Director, reported and/or discussed the following:

- Training:
 - Office is planning to schedule an additional training to accommodate for overflow from the October 24, 2016 training that was presented at maximum capacity.
 - Departments requested individualized/additional trainings: Clerk, Board of Elections, Police, Public Works, Probation, and Social Services.

SUFFOLK COUNTY BOARD OF ETHICS

- Judge Santorelli's Decision:
 - Court redactions of confidential information and directed Board redactions in accordance with Suffolk County Code §77-14 (D), categories of value, to be produced by no later than November 14, 2016, at 5:00 p.m.
- Requested Investigator Position/ Budget Update:
 - Legislator Kennedy reached out to Board's office regarding the investigator position. Advised her that the Board does not currently have an investigator, is seeking one part-time, and that the Board's office consists of only two (2) employees; an Executive Director and Secretary.
- Hearing Officer Contract:
 - Executed by Contractor and Board. Sent to Law Department for signature.
- Revised and New Office Forms presented in an effort to clarify between an Advisory Opinion Request, Complaint, and Referral:
 - Revised §A30-3 *Future Conduct Advisory Opinion Request Form*;
 - New §A30-5(B) *Public Servant "Request for Review and Determination" of Past or Ongoing Conduct*;
 - New §A30-5(B) *Supervisory Official "Request for Review and Determination" of Past or Ongoing Conduct*;
 - Board requested explanation between Advisory Opinion Requests, Complaints, and Referrals be added to the back of each form.
 - Board reviewed and approved all forms with requested amendments.
- Board of Ethics Webpage:
 - Board requested staff make Complaint form accessible on main page.

Executive Session: At 9:55 a.m. a motion was made by Linda Spahr, seconded by Dennis O'Doherty to go into Executive Session for the purpose of discussing confidential matters pertaining to two Notice of Violations, one Advisory Opinion Request and Counsel Updates including presentation of documents regarding Supreme Court Index No. 9813/2016 in accordance with the Suffolk County Administrative Code §A30-8 and the New York State Open Meetings Law. Upon a vote being taken, motion was approved (5-0-0).

During Executive Session:

A motion was made:

- To serve Notice of Violation No. FDS 93/2016. Approved (5-0-0);
- To serve Notice of Violation No. FDS 188/2016. Approved (5-0-0);
- To approve Advisory Opinion No. AO-2016-23. Approved (5-0-0).

A motion was made by Eric Kopp, seconded by Linda Spahr, to close Executive Session. Upon a vote being taken, motion was approved 5-0-0).

New Business: None.

Follow-up: The Executive Director informed the Board that New York State Archives responded to the office's inquiry regarding records in our possession that we are not the custodian of, stating that we should advise the entity that the records are being scheduled for destruction on a said certain date and that they may request they be returned to them before that time. Additionally, our office should produce said records if requested while in our possession. This conclusion impacts filings of the Suffolk County Community College, Town Political Party Leaders, and employees of the Suffolk Regional Off-Track Betting Corporation.

The next meeting of the Board will be held November 16, 2016 at 9:30 a.m.

There being no further business, a motion was made by Linda Spahr, seconded by Eric Kopp to adjourn the meeting. Upon a vote being taken, motion was approved (5-0-0) (10:45 a.m.).